

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

DONNA MUDGETT,
Plaintiff,

v.

Case No. 11-C-0039

NAVY FEDERAL CREDIT UNION,
Defendant.

ORDER

On June 6, 2011, defendant Navy Federal Credit Union filed a motion for summary judgment. At the initial scheduling conference in this case, plaintiff indicated that she wanted to take limited discovery relating to matters raised in defendant's motion. I entered an order setting a deadline for conducting this initial discovery and also setting a deadline of October 26, 2011 for plaintiff to respond to defendant's motion for summary judgment. When that date passed without plaintiff having filed a response, I granted defendant's motion for summary judgment as unopposed. However, before I granted the motion, plaintiff and defendant entered into a stipulation to extend the deadline, but they did not obtain the court's permission or otherwise inform the court of their arrangement. Thus, once plaintiff received notice of my order granting the motion, she filed a motion for relief from judgment pursuant to Federal Rule of Civil Procedure 60(b). The defendant has stated that it does not oppose the Rule 60(b) motion.

Because the Rule 60(b) motion is unopposed, it is **GRANTED**. Accordingly, **IT IS ORDERED** that my order of November 11, 2011 and the judgment entered that same day

are **VACATED**. The time for the defendant to file its reply brief in support of its motion for summary judgment shall begin to run from the date of this order.

Dated at Milwaukee, Wisconsin, this 19th day of November 2011.

s/_____
LYNN ADELMAN
District Judge